

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY J. WEBSTER,
Petitioner,

vs.

S.W. ORNOSKI, Acting
Warden of the California State Prison
at San Quentin,
Respondent.

No. CIV S-93-0306 LKK DAD DP

DEATH PENALTY CASE

**ORDER RE SECOND MODIFICATION OF
SCHEDULING ORDER**

Good cause appearing, the Order re Evidentiary Hearing Schedule issued by the United States Magistrate Judge on August 21, 2006 (# 284) and the Order Re Modification of Scheduling Order (# 301) are modified as set forth below with regard to the petitioner's claim of ineffective assistance of counsel during the penalty phase of the trial.

Items 6 through 8 on page 3 of the Order re Evidentiary Hearing Schedule are modified as follows:

6. On or before March 2, 2007, the parties shall file with the court and serve upon each other the following with respect to expert witnesses:
 - a. A list of expert witnesses;
 - b. Direct testimony by declaration;
 - c. Designation of witnesses whose further testimony will be submitted by

deposition;

d. Designation of witnesses intended to be called at the evidentiary hearing;

e. Copies of exhibits; and

f. Any documents submitted under Rule 7 of the Rules Governing § 2254 cases.

7. On or before March 16, 2007, the parties shall file with the court and serve upon each other:

a. Any response, opposition or objections to expert witness designations; and

b. Designation of rebuttal witnesses.

8. The hearing to resolve any issues regarding expert witnesses previously set for February 28, 2007, at 9:00 a.m., is vacated and any issues in this regard will be addressed at the hearing scheduled for March 21, 2007.

All other provisions of the Order re Evidentiary Hearing Schedule remain in effect.

DATED: January 29, 2007.


DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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submitted by:

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